

Administration of the Child Care Assistance Program

2024-2025 Clay County and Tribal Child Care Fund Plan

Administration of the Child Care Assistance Program

Background: Counties and tribes must submit a biennial Child Care Fund Plan to the commissioner. Child Care Assistance Program rules and laws allow counties and tribes to establish some local policies and procedures. These local policies and procedures, when included in this plan and approved by the commissioner, are considered county/tribal policy and are used to support agency decisions during appeals. The Department of Human Services (DHS) will review and approve County and Tribal Child Care Fund Plans. Counties and tribes will receive approval letters for their Child Care Fund Plans from the commissioner of DHS. This plan period begins on January 1, 2024.

Print Blank Form

IMPORTANT: If you are not able to complete this form online, click Print Blank Form to print the form and complete it by hand.

Minnesota Statute, section 119B.08, subdivision 3

Steps to complete the plan process:

Step One – Review the plan

Review this plan. Determine if there are changes compared to previous plans or if there are new policies or procedures. Involve other staff as needed.

Step Two – Draft the plan responses

Note these guidelines:

- Identify all optional county/tribal Child Care Assistance Program policies; see question X.A.
- Do not answer questions by stating that the reviewer should refer to a previous plan.
- Submit any agency-developed documents that have not been previously submitted and approved. Do not submit DHS and MEC² standardized documents. Refer to the DHS memo announcing this plan for a list of DHS created documents.
- Answer each question. Incomplete plans will be returned.

Step Three – Inform and involve stakeholders

DHS encourages counties and tribes to develop optional policies in coordination with local child care stakeholders. This may include: parents, child care providers, culturally specific service organizations, Child Care Aware agencies, interagency early intervention committees, and agencies involved in the provision of care and education to young children. Consult with other agency staff such as fraud investigators and income maintenance and employment services staff.

Step Four – Share the draft plan

Prior to submission, you must make copies of the proposed plan available to the public and allow sufficient time for public review and comment. See question II.D of this plan; describe methods used to make the plan available to the public, particularly to those members listed in II.D.

Step Five – Submit the plan by the deadline (Friday, September 15, 2023)

Amendments to plans

A county or tribe may amend their Child Care Fund Plan at any time. If approved by the commissioner, the amendment is effective on the date requested by the agency unless a different effective date is set by the commissioner. Plan amendments must be approved or denied by the commissioner within 60 days after receipt of the amendment request. The department reserves the right to direct a county or tribe to amend its Child Care Fund Plan if the plan is no longer in compliance with Minnesota Statutes, Minnesota Rules, or federal law.

Minnesota Rules, part 3400.0150, subpart 3

Amendments include changes in county/tribal contacts, county/tribal optional policies, new or revised forms and notices. Amendments can be sent in letter form or by email to the agency's child care assistance policy specialist.

Return completed plans by **Friday, September 15, 2023** to:

DHS.CCAP@state.mn.us

Administration of the Child Care Assistance Program

I. Child Care Assistance Program contacts

A. County or tribal agency

COUNTY OR TRIBE NAME Clay	GENERAL PHONE NUMBER 218-299-5200	EXTENSION	GENERAL FAX NUMBER 218-299-7515
AGENCY'S FULL NAME Clay County Social Services		CCAP INTAKE PHONE NUMBER 218-291-5200	EXTENSION
MAIN OFFICE STREET ADDRESS 715 11th Street North Suite 102	CITY Moorhead		ZIP CODE 56560
MAIN OFFICE MAILING ADDRESS (if different)	CITY		ZIP CODE

B. County or tribal branch office (if applicable)

BRANCH NAME	GENERAL PHONE NUMBER	EXTENSION	GENERAL FAX NUMBER	CCAP INTAKE PHONE NUMBER	EXTENSION
ADDRESS OF BRANCH OFFICE		CITY			ZIP CODE

[Add branch](#)

C. Agency contact people

This contact information is required.

1. County or tribal director

FIRST NAME Rhonda		LAST NAME Porter	
PHONE NUMBER 218-299-7134	EXTENSION	EMAIL ADDRESS rhonda.porter@claycountymn.gov	
ADDRESS 715 11th Street North Suite 402		CITY Moorhead	ZIP CODE 56560

2. County or tribal CCAP administrative contact

Who is your lead contact for the Child Care Assistance Program? This contact will receive policy bulletins, memos, and other high level communications. You may have more than one administrative contact.

FIRST NAME Karen		LAST NAME Syverson	
TITLE Financial Assistance Supervisor		PHONE NUMBER 218-299-7159	EXTENSION
EMAIL ADDRESS karen.syverson@claycountymn.gov		SIR EMAIL ADDRESS X114001@cty.dhs.state.mn.us	

[Add contact person](#)

3. County or tribal client access contact

Who is your lead contact person who has contact with families receiving CCAP? You may have more than one client access contact.

FIRST NAME Dawn	LAST NAME Envik			x
TITLE Financial Assistance Specialist		PHONE NUMBER 218-299-7068	EXTENSION	
EMAIL ADDRESS dawn.envik@claycountymn.gov		SIR EMAIL ADDRESS X114554@cty.dhs.state.mn.us		
FIRST NAME Heather	LAST NAME Schmidt			x
TITLE Eligibility Worker		PHONE NUMBER 218-299-7835	EXTENSION	
EMAIL ADDRESS heather.schmidt@claycountymn.gov		SIR EMAIL ADDRESS X114003@cty.dhs.state.mn.us		
FIRST NAME Randi	LAST NAME Beaudoin			x
TITLE Eligibility Worker		PHONE NUMBER 218-299-7069	EXTENSION	
EMAIL ADDRESS randi.beaudoin@claycountymn.gov		SIR EMAIL ADDRESS X114617@cty.dhs.state.mn.us		
FIRST NAME Cathy	LAST NAME Andring			x
TITLE Eligibility Worker		PHONE NUMBER 218-299-7070	EXTENSION	
EMAIL ADDRESS cathy.andring@claycountymn.gov		SIR EMAIL ADDRESS X114574@cty.dhs.state.mn.us		
FIRST NAME Nina	LAST NAME Palmier			x
TITLE Eligibility Worker		PHONE NUMBER 218-299-7081	EXTENSION	
EMAIL ADDRESS christina.palmier@claycountymn.gov		SIR EMAIL ADDRESS X114004@cty.dhs.state.mn.us		
Add contact person				

4. Management of waiting list contact

Who is your lead waiting list contact person? Only identify one waiting list contact.

FIRST NAME Dawn	LAST NAME Envik		
TITLE Financial Assistance Specialist		PHONE NUMBER 218-299-7068	EXTENSION
EMAIL ADDRESS dawn.envik@claycountymn.gov		SIR EMAIL ADDRESS X114554@cty.dhs.state.mn.us	

5. Provider billing contact

Who is your lead billing contact person who is able to answer questions about billing and payments? Only identify one provider billing contact.

FIRST NAME Kathy	LAST NAME Otte		
TITLE CCAP Payment/Provider Worker		PHONE NUMBER 218-299-7045	EXTENSION
EMAIL ADDRESS Kathy.Otte@claycountymn.gov		SIR EMAIL ADDRESS x114409@cty.dhs.state.mn.us	

6. Provider registration contact

Who is your lead provider registration contact person? Only identify one provider registration contact.

FIRST NAME Kathy	LAST NAME Otte		
TITLE CCAP Payment/Provider Worker		PHONE NUMBER 218-299-7045	EXTENSION
EMAIL ADDRESS Kathy.Otte@claycountymn.gov		SIR EMAIL ADDRESS x114409@cty.dhs.state.mn.us	

7. Legal nonlicensed provider monitoring contact

Who is the lead contact person in the agency who is able to answer questions about legal nonlicensed annual monitoring visits? Only provide one monitoring contact.

FIRST NAME Kathy	LAST NAME Otte		
TITLE CCAP Payment/Provider Worker		PHONE NUMBER 218-299-7045	EXTENSION
EMAIL ADDRESS Kathy.Otte@claycountymn.gov		SIR EMAIL ADDRESS x114409@cty.dhs.state.mn.us	

D. Subcontracted services

Counties and tribes may contract with an agency to administer all or part of their Child Care Assistance Program.

Minnesota Rules, part
3400.0140, subpart 7

If you are planning any changes in the administration of your CCAP, tell your CCAP policy specialist immediately. This could involve subcontracting or mergers of counties. Failing to notify DHS may delay the changes that you are planning to make.

Does your county or tribe contract with an agency for any part of the administration of CCAP? ☐ Yes ☒ No

Do not include cooperative agreements with employment and training service providers that work with MFIP/DWP families to develop and approve the employment service plan.

II. Collaboration and outreach

A. How do you share information about the Child Care Assistance Program so that individuals, child care providers, social service agencies, etc. are aware of child care assistance? ([Minnesota Rules, part 3400.0140, subpart 2](#))

Information on child care assistance is available through both the Clay County website as well as Community Action Program Lakes and Prairies (CAP-LP) website. Child Care Aware is part of the CAP-LP of Mn program. Parents who are

seeking information about child care, are informed about the child care assistance program. Clay County Child Care Licensor's also make child care assistance information available to all licensed child care providers and encourage them to refer parents to the program. Information about the child care assistance program is also provided to employment and training agencies as well as our public health department. Posters and brochures are also displayed in the building's lobby. Legal Non Licensed [LNL] providers contact CCAP Payment Worker for LNL Provider Pre-Packet information to be returned and sent to CCAP Payment Worker. Legal Non-Licensed [LNL] providers contact CCAP Payment Worker for LNL Provider Pre-Packet information to be returned and sent to CCAP Payment Worker.

B. Agencies are required to work with other public and private community resources that provide services to families to maximize community resources for families with young children. These other resources include, but are not limited to, Child Care Aware, School Readiness, Early Learning Scholarships, Head Start, and Early Childhood Screening. List the community programs your agency works with. ([Minnesota Statute, section 119B.08, subdivision 3 \(1\)](#))

Our community works with the local Head Start program which offers pre-school for eligible children that will help with the transition to kindergarten. Wrap Around and Family Group Decision making services are available through Clay County Social Services for eligible families, as well as respite funds for eligible children. Our agency works closely with Career Force, Child Care Aware, Public Health, early childhood programs, community mental health agencies and with county licenser's. In addition, our agency formed a partnership with Friends of the Children to serve high risk children through long-term relationship building.

C. How do you work with the community based programs and service providers identified above to maximize public and private community resources for families with young children? Include in this description the methods used to share information, responsibility, and accountability among these service and program providers as you work to foster collaboration among agencies and other community-based programs that provide flexible, family-focused services to families with young children and to facilitate transition into kindergarten.

We provide information and material to Career Force to include in the MFIP orientations. We have a great relationship with all providers and will attend meetings as needed to discuss child care and how we are better able to serve our residents. We attend community workshops and job fairs when made aware to us and offer information to people who ask regarding child care. We will attend child care provider orientation or training that is put on by our county child care licenser's when asked. We request our licenser's to inform all providers about child care assistance so they can encourage families to apply if they are having difficulties paying the full expense.

D. Copies of the proposed plan must be made reasonably available to the public, including those interested in child care policies such as parents, child care providers, culturally specific service organizations, Child Care Aware of Minnesota agencies, interagency early intervention committees, potential collaborative partners and agencies involved in the provision of care and education to young children. **You must allow time for public review and comment prior to submitting this plan to DHS for approval.** ([Minnesota Statute, section 119B.08, subdivision 3 \(2\)](#)).

1. Describe your procedures and methods to make copies of the **draft plan** reasonably available to the public.

Notification will be provided on our Clay County website inviting citizens to review and comment on the plan. A copy of the plan will be posted on the website as well as paper copies made available at our office. The posting will be a News Flash and will be pushed to our Facebook and Twitter accounts. The posting will be done on August 7, 2023 and the comment period will be invited through September 7, 2023. The Public Notice and draft plan will be set to terminate at the end of the comment period. Changes to the plan will be made after the public comment period and the final plan will be set for county board approval on September 12, 2023. The final plan will be sent to DHS for approval on September 15, 2023.

Upon the DHS final approval of the plan, it will be placed on our county website for review at all times at the following link:

<https://mn-claycounty.civicplus.com/209/Child-Care-Assistance-Program-CCAP>

Interested Individuals may also request a copy of our plan from the Financial Services Unit located at 715 11th Street North Suite102, Moorhead, MN. 56560. Copies of the plan may also be received from Karen Syverson by phone (218-299-7159), fax (218-299-7515), email (karen.syverson@claycountymn.gov) or US Mail at 715 11th Street North Suite102, Moorhead, MN. 56560.

2. When was your draft plan available for public review?

From August 7, 2023, through September 7, 2023.

E. After your plan is approved by DHS, do you post your approved county/tribal plan on your website? ☒ Yes ☐ No

III. Eligibility

A. Education plans outside an Employment Plan

Prior to completing this section, please review [Minnesota Rules, part 3400.0040](#) and [Minnesota Statutes 119B.10 Subdivision 3](#) in their entirety to ensure your policies are in compliance. Identify agency developed documents used for education plan requests and notices used to communicate approval or denial in each response and list these in the agency developed document section X.B.

1. High school diploma/GED high school equivalency diploma

1a. Do you approve all high school and GED programs? ☒ Yes ☐ No

2. Remedial and basic skills courses (includes Adult Basic Education and English as a Second Language)

2a. Do you approve all remedial and basic skills courses? ☒ Yes ☐ No

3. Post-secondary programs

3a. Describe your criteria and procedures for approving a post-secondary program outside an Employment Plan that will lead to employment.

Students must complete an Employability Plan which outlines their course of study as well as expected completion date. This plan is signed by both the student as well as the students advisor. The plan clearly states what the client's responsibilities are in order to have their education approved as an eligible activity. All initial plans will be approved if they have the approval of the post-secondary institution's advisor/counselor. Follow up is done at each redetermination to determine if the student is meeting satisfactory progress as determined by the institution.

3b. Identify the factors that contribute to the above criteria (for example: the availability of jobs where family resides or intends to reside, wage data, job placement rates in field of study).

The post-secondary institution has approved the employability plan. The school's advisor/counselor is best qualified to determine if this is an appropriate plan and would reasonably lead to full-time employment.

4. Changes to education plans outside an Employment Plan

4a. Do you have a different approval policy if a participant requests a change to their education plan? ☐ Yes ☒ No

B. Basic Sliding Fee Waiting List management

1. Priorities for service

Have you established sub-priorities for the third priority Basic Sliding Fee Waiting List?

☐ Yes ☒ No

2. When adding a family to your Basic Sliding Fee Waiting List, you must inform the family of the priority group determination, and the number of families on the waiting list or an estimated time that they will spend on the waiting list before reaching the top.

How do you notify a family they were placed on the waiting list?

- ☒ The family is sent [DHS-7883A \(You have been placed on the Child Care Assistance Program \(CCAP\) waiting list\)](#)
- ☐ The family is sent a notice developed by our agency (list this notice in section X.B Agency developed documents)

3. Six month review of Basic Sliding Fee Waiting List

CCAP Policy Manual,
Chapter 4.3.12.12

Minnesota Statute, section
119B.03, subdivision 2

3a. Statute requires that you review and update your waiting list at least every six months. How are families notified of this six month review?

- ☒ The family is sent [DHS-7883B \(Child Care Assistance Program \(CCAP\) waiting list update\)](#)
- ☐ The family is sent a notice developed by our agency (list this notice in section X.B Agency developed documents)

3b. Describe your agency's process for reviewing and updating the waiting list. If your agency does not currently have a waiting list, describe your process in the event your agency does start a waiting list.

The family will be mailed the DHS-7883B (Child Care Assistance Program (CCAP) waiting list update) six months or less from the date the family was placed on the waiting list and every six months thereafter for as long as the family remains on the waiting list. If families return the form within 30 days, they remain on the waiting list until funds are available based on their priority group and place on the waiting list. If families do not return the form after 30 days, they are removed from the waiting list.

3c. How are families notified they are removed from the waiting list for not responding to the six month review?

- ☐ Families are sent an additional notice
- ☐ Six month review letter includes notification they will be removed from the waiting list if they don't respond

4. Applications mailed to families on the Basic Sliding Fee Waiting List

Applications must be sent to families on the waiting list when there is funding available for Basic Sliding Fee.

4a. When do you remove the family from the waiting list?

- ☐ When the application is sent to the family. The notice sent with the application informs the family that their name has been removed from the waiting list.
- ☒ When you receive the completed application. If no application is received, the family is removed at the end of the time period allowed for returning the application. The notice sent with the application informs the family that their name will be removed from the waiting list if the application is not received by the deadline.

4b. How do you notify a family that their name was removed from the waiting list?

- ☐ The family is sent [DHS-7883C \(Child Care Assistance Program \(CCAP\) funds available\)](#)
- ☐ The family is sent a notice developed by our agency (list this notice in section X.B Agency developed documents)

5. Temporarily ineligible families on the Basic Sliding Fee Waiting List When

a family reaches the top of the waiting list and is temporarily ineligible, leave the family at the top of the waiting list for a period of time not to exceed 90 calendar days, according to priority group and serve the applicant who is next on the waiting list unless an alternative procedure is provided in the agency's plan.

Minnesota Rules, part
3400.0040, subpart 17

Minnesota Rules, part
3400.0065, subpart 3

Do you have an alternate procedure to the 90 day policy that extends the timeframe for a family who has reached the top of the waiting list and is temporarily ineligible?

- ☐ Yes ☒ No

C. Child care for school release days

1. How do case workers authorize care for school release days in your agency?

CCAP Policy Manual,
Chapter 9.1.3

- ☒ Authorize actual hours needed and increase or decrease hours based on known school release days.
- ☐ Authorize the hours care is needed when there are no school release days.
- ☐ Authorize the highest number of hours care is needed with the provider.
- ☐ Other method.

2. How do you communicate scheduled and authorized hours to parents, providers and billing workers?

Initial communication on authorized hours occurs with the parent by the CCAP Eligibility Workers. This communication may occur via in-person, phone, correspondence, or email. If additional hours are needed to be approved, generally the provider communicates this to our CCAP Provider Worker. Follow-up communication will then occur often via email between the provider, CCAP Eligibility Workers and the CCAP Payment Worker. The CCAP Eligibility Workers will put comments on the notices if there are special circumstances with the hours of childcare provided. We exchange voice mails, phone conversations and emails with our families when there is any question in the hours that are being authorized.

D. Child care for families with flexible schedules

1. How do case workers authorize care for families with flexible schedules in your agency?

CCAP Policy Manual,
Chapter 9.1.6

- ☒ Authorize the typical number of hours needed and when the schedule requires additional care, the provider bills for the additional care.
- ☐ Authorize the minimum number of hours care is needed and when the schedule requires additional care, the provider bills for the additional care. Payment is made by increasing the number of hours listed in the "total hours of care authorized" field on the billing window or by creating a new Service Authorization.
- ☐ Authorize the highest number of hours care is needed with the provider. The provider is expected to bill only for the time that care is needed.
- ☐ Other method.

2. How do you communicate scheduled and authorized hours to parents, providers and billing workers?

If the provider requests more hours during these times they communicate to our CCAP Payment Worker. Communication will occur often via email between the provider, CCAP Eligibility Workers, and the CCAP Payment Worker, in our auditors office. The CCAP Eligibility Workers will put comments on the notices if there are special circumstances with the hours of childcare provided. We exchange voice mails, phone conversations and emails with our families when there is any question in the hours that are being authorized.

E. Authorizing care for clients with Employment Plans

Job counselors and CCAP workers must communicate child care needs for clients with Employment Plans.

Guidance is found in [CCAP Policy Manual, Chapter 9.1.5](#).

1. CCAP workers must obtain an activity schedule or the days and times that child care is needed. Who is responsible for obtaining the schedule information from the client?

- ☒ Job counselor provides schedule or days and times that child care is needed to CCAP worker.
- ☐ CCAP worker obtains schedule from client.
- ☐ Other method.

2. How do you communicate required information between job counselors and CCAP workers (email, fax, case notes, verbal, DHS-7054, etc.)?

Emails and interoffice mail is used between the county and the employment agency, Career Force to communicate all information between the two agencies. We also have a monthly meeting between a Career Force worker and CCAP Eligibility Workers to discuss the Career Force workers caseload and all topics are discussed at this time as well.

F. Extending redetermination dates beyond 12 months

Redeterminations may be extended beyond 12 months for a family that has a caregiver under the age of twenty-one, who does not have a high school or general equivalency diploma (GED), and is a student in a school district or another similar program that provides or arranges child care, parenting, social services, career and employment supports and academic support to achieve high school graduation.

An agency may identify other reasons to extend redetermination dates beyond 12 months as an optional policy. For example, an agency may extend redetermination dates to balance out a workload. See [CCAP Policy Manual, Chapter 10.3](#) and [Minnesota Rules, part 3400.0180, subpart 1](#).

1. Does your agency extend redetermination dates beyond 12 months?

☐ Yes ☒ No

IV. Provider compliance policies

A. Reasons for closing a provider's registration

[Minnesota Statutes, section 119B.13, subdivision 6\(d\)](#) allows counties, tribes, and the Department of Human Services to refuse to issue a child care authorization, revoke an existing authorization for a provider, stop payment, or refuse to pay a bill under circumstances described in the seven clauses below. Counties and tribes must indicate which clauses they will include in their plan, and must apply the policies consistently to providers.

CCAP Policy Manual,
Chapter 9.3

CCAP Policy Manual,
Chapter 13

- An agency cannot implement these policies without establishing them in their plan.
- An agency must notify their child care assistance policy specialist at least 10 days prior to closing a provider's registration or taking any other action to enforce any of these policies, except clause 4 when notified by DHS.
- An agency that does not implement these policies may still pursue a fraud disqualification for a provider. These policies can be used in addition to, or in combination with, a fraud disqualification.

Does your agency plan to disqualify providers for reasons listed in Minnesota Statutes, section 119B.13, subdivision 6(d)? ☒ Yes ☐ No

Which clause(s) does your agency plan to implement? Check all that apply.

- ☒ **Clause 1:** A provider admits to intentionally giving the agency materially false information on the provider's billing forms.

If you checked Clause 1, your agency must also pursue, at minimum, a disqualification and establishment of an Intentional Program Violation (IPV) using the Administrative Disqualification (ADH) process described in Chapter 13 of the CCAP Policy Manual. The agency should consider pursuing a fraud determination through other means described in section 13.9.3 in the CCAP Policy Manual. There also may be overpayments charged to the provider applied to time periods when Clause 1 occurred.

- ☒ **Clause 2:** The agency finds a preponderance of evidence that the provider intentionally gave the agency materially false information on the provider's billing forms or attendance records.

If you checked Clause 2, your agency must also pursue, at minimum, a disqualification and establishment of an Intentional Program Violation (IPV) using the Administrative Disqualification (ADH) process described in Chapter 13 of the CCAP Policy Manual. The agency should consider pursuing a fraud determination through other means as described in section 13.9.3 in the CCAP Policy Manual. There also may be overpayments charged to the provider applied to time periods when Clause 2 occurred.

- ☒ **Clause 3:** A provider is in violation of Child Care Assistance Program rules, until the agency determines the violations have been corrected.

What Child Care Assistance Program rules are you choosing to implement under this clause?

1) Notify the CCAP agency immediately of ANY changes to the information that was submitted by the Provider on the Registration form. Clay County will consider Providers who DO NOT report changes within 10 days of the

date of the change to be in violation of this Rule.

2) Keep attendance records for all CCAP children by following CCAP Provider Record Keeping Policy.

3) Keep records of Family co-payments that are waived by the Provider or paid by a third party.

4) For Legal Non-Licensed [LNL] Providers, notify the Clay County when a child has died or been seriously injured in the Provider's care.

How will your agency determine the provider has corrected the condition?

The Provider must sign an affidavit attesting to their future compliance with the Rule(s) of which they were found to be out of compliance.

For Legal Non-Licensed [LNL] Providers in Non-compliance with item #4 above, Clay County unsafe care and imminent risk policies may also apply.

Your agency may withhold payment for a period of up to three months beyond the time the condition has been corrected.

Will you apply a penalty period beyond when the condition is corrected? ☐ Yes ☒ No

- ☒ **Clause 4:** A provider is operating after receipt of a licensing order of suspension, revocation, or decertification (this occurs when providers are appealing the revocation, suspension, or decertification).

NOTE: DHS Office of Inspector General (OIG) staff handle statewide implementation of clause 4 for licensed and certified child care centers. Counties and tribes may choose to implement this clause for licensed family child care providers registered within their agency.

If you choose to implement clause 4, DHS will send you a list once a month to inform you of licensed family child care providers in this category. You may act sooner if you learn of this licensing status through your licensors, etc. Contact your child care assistance policy specialist if you are planning to take action prior to receiving the monthly DHS listing.

What licensing statuses are subject to this clause?

Licensed family child care providers with a suspended license? ☒ Yes ☐ No

Licensed family child care providers with a revoked license? ☒ Yes ☐ No

- ☒ **Clause 5:** A provider submits false attendance reports or refuses to provide documentation of the child's attendance upon request.

How will your agency determine the provider has corrected the condition?

After the Provider has submitted the correct attendance records, for care provided through the end of the 15 days adverse action period. Provider may request CCAP Payment Worker for training assistance at Provider site, as needed. Provider must also submit a signed Affidavit which Provider states will comply with CCAP Provider Record Keeping Policy.

Your agency may withhold payment for a period of up to three months beyond the time the condition has been corrected.

Will you apply a penalty period beyond when the condition is corrected? ☒ Yes ☐ No

How long will payment be withheld once the condition has been corrected (not to exceed three months)?

When implementing this clause, some agencies choose to issue a warning letter for the first occurrence, and some agencies choose to use escalating consequences.

For example:

First violation – written warning; second violation – one month; third violation – two months; any subsequent violation – three months.

First violation – one month; second violation – two months; third or subsequent violation – three months.

If your agency chooses to do a written warning, add the warning notice to Section X.B and submit with your plan for approval.

1st violation-30 days, 2nd violation 60 days, 3rd violation with any additional violation up to 90 days. Once Provider has complied and served their penalty period, Provider will be able to complete a New MN CCAP Provider Registration with electronic billing privileges.

☒ **Clause 6:** A provider gives false child care price information.

How will your agency determine the provider has corrected the condition?

1st violation-30 days, 2nd violation 60 days, 3rd violation with any additional violation up to 90 days. Once Provider has complied and served their penalty period, Provider will be able to complete a New MN CCAP Provider Registration with electronic billing privileges.

Your agency may withhold payment for a period of up to three months beyond the time the condition has been corrected.

Will you apply a penalty period beyond when the condition is corrected? ☒ Yes ☐ No

How long will payment be withheld once the condition has been corrected (not to exceed three months)?

When implementing this clause, some agencies choose to issue a warning letter for the first occurrence, and some agencies choose to use escalating consequences.

For example:

First violation – written warning; second violation – one month; third violation – two months; any subsequent violation – three months.

First violation – one month; second violation – two months; third or subsequent violation – three months.

If your agency chooses to do a written warning, add the warning notice to Section X.B and submit with your plan for approval.

☒ **Clause 7:** A provider fails to report decreases in a child’s attendance. A provider must report to the county on the billing form when a child's attendance in child care falls to less than half of the child's authorized hours or days for a four-week period.

How will your agency determine the provider has corrected the condition?

When Clay County has NOT been informed by Provider nor on the billing form which has not been submitted timely, that attendance has decreased by 50% or less of the authorized service level for a 4-week period. Provider will submit Affidavit attesting to follow reporting requirements to report decreases in Child’s attendance as required by law.

Your agency may withhold payment for a period of up to three months beyond the time the condition has been corrected.

Will you apply a penalty period beyond when the condition is corrected? ☐ Yes ☒ No

V. Unsafe care

A. Unsafe care

An agency may deny authorization as a child care provider or rescind authorization of any provider when the agency knows or has reason to believe that the provider is unsafe or that the circumstances of the chosen child care arrangement are unsafe. See [Minnesota Statute, section 119B.125, subdivision 4](#). When a provider's authorization is rescinded due to unsafe care, the agency must close the provider's registration with a 15 calendar day notice.

NOTE: The Consolidated Appropriations Act of 2018 (Public Law 115-141) prohibits states from expending federal CCDF funds on providers where a serious injury or death occurred due to substantiated health or safety violations.

1. Conditions of unsafe care

1a. Identify any additional conditions of unsafe care your agency applies to providers. NOTE: when substantiated maltreatment occurred in a legal nonlicensed care setting related to an incident where a child died or was seriously injured, the child care setting is considered unsafe care. A serious injury is one that required treatment by a physician.

There are additional reasons not listed in statutes for not authorizing a legally unlicensed provider hereafter as [LNL], for payment under the Child Care Assistance Program.

There are additional reasons that will be evaluated to determine whether a provider personally and/or conditions of care premises are unsafe.

The following situations will be used to deny authorization due to Unsafe Care for any LNL provider:

- 1) The provider has received child protection services within the past 12 months and the agency has documented the provider or premises remains unsafe.
- 2) Any substantiated child maltreatment complaint by any County of this LNL Provider or current members of household.
- 3) Any documentation received by Clay County that shows documented violent behavior by any member in LNL Provider's household or in the care site's premises.

1b. Do these conditions apply to all provider types? If no, explain which criteria apply to which provider types.

Yes.

2. Imminent risk

Some unsafe care conditions present an imminent risk for children in care. When there is an imminent risk of harm to the health, safety or rights of a child in care with a legal nonlicensed provider, certified license exempt center or a provider licensed by an entity other than the state of Minnesota, child care authorization must be terminated immediately. Agencies do not give the provider 15 calendar days notice. See [Minnesota Rules 3400.0185, subpart 13, clause D](#).

2a. Of the unsafe care conditions listed in V.A.1, what conditions does your agency recognize as imminent risk? These conditions would result in immediate termination of child care.

The existence of any condition or practice which could reasonably be expected to cause serious physical harm or death to any child, by a Legal Non-Licensed Provider for a Clay County Family. Clay County or Other Social Service Child Protection Unit would determine, by investigation, if any substantiated condition or practice exists.

2b. Of the conditions listed in V.A.2a, do these conditions apply to legal nonlicensed providers, certified license exempt centers and providers licensed by an entity other than the state of Minnesota?

☒ Yes ☐ No

VI. Policies applicable to legal nonlicensed providers

A. Annual monitoring and training

Any legal nonlicensed provider with an open Service Authorization for a child who is not related to them must complete Supervising for Safety training within 90 days of the authorization start date and have an annual monitoring visit within 12 months of the authorization start date.

See [CCAP Policy Manual Chapter 11.9](#) and Minnesota Rules, part [3400.0020, subpart 37a](#) and [3400.0120, subparts 6 and 9](#).

1. How does your agency track legal nonlicensed providers who have an open Service Authorization for unrelated children? Note: To assist agencies, DHS sends a list of legal nonlicensed providers that have open Service Authorizations with unrelated children. Agencies must also take steps to track all providers who need training or an annual monitoring visit.

- ☒ All legal nonlicensed providers are tracked on a spreadsheet. Spreadsheet includes date that unrelated child Service Authorization began, due date for Supervising for Safety training, and due date of annual monitoring visit. Spreadsheet is checked every month to determine if training or an annual monitoring visit is due.

☐ Other _____

2. What are your agency's internal processes and procedures for completing annual monitoring visits?

- ☐ Agency contacts the provider at least 30 days prior to the date the annual monitoring visit is due. Agency schedules a time to visit. Agency visits the provider and reviews the [Legal Nonlicensed Provider Monitoring Checklist \(DHS-7867\)](#) with the provider. Agency updates provider record in MEC² with the visit date. Agency submits the [Monitoring Visit Summary \(DHS-7867A\)](#) to DHS.
- ☒ Other [CCAP Payment Worker](#) notifies County Licensing worker of which LNL Providers need initial monitor

Note: See [CCAP Policy Manual 11.9.18](#) for the process that agencies must follow when a provider does not demonstrate full compliance with the health and safety policies at the monitoring visit.

3. If a legal nonlicensed provider's registration closes due to not showing compliance with an annual monitoring visit, under what conditions can they receive CCAP payments in the future? See [Minnesota Rules, part 3400.0120, subpart 9](#).

- ☐ Only if the provider is licensed
- ☐ The provider must show compliance with:
- Written documentation if there were factors during the initial visit that can be demonstrated by submitting written documentation, such as proof of purchase for items required to ensure safety of children in care AND/OR
 - Another monitoring visit if there were factors during the initial visit that cannot be demonstrated by submitting written documentation.

Is there a limit on the number of re-inspections? ☒ Yes ☐ No

Provide any additional information about your agency's process.

Legal Non-Licensed [LNL] Providers failing monitoring compliance, will receive a 15-day adverse action

closing notice for Failure to meet CCAP requirements. LNL Provider can only receive 1 additional monitoring visit within the next 30 days of failed monitoring visit. If LNL Provider fails this re-visit, the LNL Provider remains closed and cannot be RE-Registered as a Legal Non-Licensed [LNL] Provider with Clay County. Provider may apply to the Clay County Family Child Care Licensing unit to become a Licensed Provider.

☐ Other _____

B. Complaints and incidents

1. Records of substantiated parental complaints

Within 24 hours of receiving a complaint concerning the health or safety of children under the care of a legal nonlicensed (LNL) provider, an agency must relay the complaint to the agency's child protection agency, county public health agency, local law enforcement, and/or other agencies with jurisdiction to investigate complaints.

Information regarding substantiated complaints must be released following applicable data privacy laws. See [Minnesota Statutes Chapter 13](#). When a report is substantiated, see [Minnesota Rules, part 3400.0140, subpart 6](#), for record retention and provider payment policies.

When complaints are substantiated how do you:

1a. Maintain these records?

Clay County has a tracking system within retention guidelines of substantiated complaints concerning the health and safety of children in the care of legal non-licensed providers.

1b. Make this information available to the public when requested?

If there is a parental concern regarding maltreatment by a provider it is referred to the proper department to investigate (i.e.: Child Protection, Sheriff's Department, Licensing etc.). Each department will screen the report for the appropriate course of action to be taken either individually or jointly. Investigations into complaints may involve a number of activities such as collateral contacts, interviews of children, providers, parents, as well as record reviews and County Attorney consultations. The county keeps a complaint log of substantiated complaints, and a copy of the substantiated complaint is kept in the provider file. When the county receives a request the county will give the information over the phone, or if they request, the county will supply the information in writing. Clay County will release information in compliance with Minnesota Statutes, Chapter 13.

2. Aggregate reporting of incidents

At least quarterly, agencies must report to the Minnesota Department of Human Services the aggregate number of deaths, serious injuries, and substantiated maltreatment incidents for children under the care of legal nonlicensed (LNL) providers. See Minnesota Rules, part 3400.0140, subpart 14.

How will you record and maintain accurate counts of incidents that occur in legal nonlicensed settings registered by your agency?

These incidents will be recorded and maintained by the Clay County Child Protection Unit for quarterly totals to be conveyed to the Lead Eligibility Worker and/or CCAP Payment Worker for tracking and reporting.

VII. Higher rates for providers serving certain populations

Higher rates, above the standard maximum rates, can be paid to providers if approved by the commissioner of DHS (up to the provider's charge).

Minnesota Statute,
section 119B.13,
subdivision 3

Minnesota Rules,
part 3400.0130,
subpart 3 and 3b

CCAP Policy
Manual,
Chapter 9.54

A. Higher rates for providers caring for children in at-risk populations

You may choose to pay higher rates for providers caring for children in at-risk populations defined in your County and Tribal Child Care Fund Plan. Children in an at-risk population means environmental or familial factors exist that may create barriers to a child's optimal achievement such as a federal or state disaster, limited English proficiency in a family, history of abuse or neglect, a determination that the children are at risk of abuse or neglect, family violence, homelessness, age of the mother, level of maternal education, mental illness, development disability, parental chemical dependency or history of other substance use.

1. Do you pay a higher rate for at-risk populations? ☐ Yes ☒ No

If this information changes, including additional population groups identified by your agency, new facilities, or a proposed change in rates paid, DHS must approve the change. Submit a request to amend your plan. This information will be used during case audits.

B. Higher rates for care of sick children

You may choose to pay higher rates for the care of sick children. Higher rates for care of sick children apply to rates paid above the standard maximum rates to a provider that cares for sick children. You must have DHS approval for these rates to be paid.

Minnesota Rules, part
3400.0110, subpart 8

1. Do you pay a higher rate for care of sick children?

☐ Yes ☒ No

VIII. Payment policies

A. Provider registration renewal

How often do you renew a provider's registration?

☐ Yearly ☒ Every two years ☐ Other

Minnesota Statute, section
119B.125, subdivision 1

B. Payment to two providers when a child is sick

When a child is sick and being cared for by a second provider, do you pay both the regular provider that charges an absent day and the second provider that is caring for the child?

☐ Yes ☒ No

Minnesota Statutes,
section 3400.0110,
subpart 8

Note: If the rate paid for care of sick children exceeds maximum rates, the "rates for care of sick children" must be included in section VII.B. Higher rates for care of sick children.

C. Submission of invoices

If a provider receives an authorization of care and a billing form for an eligible family, the provider must submit the billing form to the agency within 60 days of the last date of service on the billing form. If the provider shows good cause for the delay you may pay bills submitted after 60 days. Note: Good cause includes agency error and applies for one full year from the last date of service on the billing form.

Minnesota Statute, section
119B.13, subdivision 6

1. What criteria other than agency error is included in your definition of good cause for submitting and paying a billing form after 60 days?

Minnesota Statutes, section 119B.13, subdivision 6, states that all provider bills must be submitted to the county within 60 days of the last date of service on the bill. The county may pay a bill submitted after this 60-day limit if the provider shows good cause for the delay. The county defines good cause as the following:

- The provider has contacted the county concerning the particular vouchers and they are working on resolving the issue (signature of parent, verification of dates, etc.)
- The county was in error in not paying the voucher, the amount that was paid to the provider was incorrect, or the

voucher was not issued by the county within 30 days of the last date of service on the bill.

- If a voucher was “lost” in the mail but reported within 90 days of the last day of service on the bill, a new voucher can be issued but must be resubmitted within 30 days.
- All payments made after 60 days must have supervisor approval.
- No payments will be made later than 180 days after the last day of service on the bill unless the delay is because of agency error. In that case, payments can be made up to 1 year past the last date of care on the billing form.

2. Does your agency have any providers using MEC² PRO? ☒ Yes ☐ No

2a. Child care assistance agencies can decide which providers are granted access to submit bills using MEC² PRO. How do you decide which providers are granted access?

It is up to the Provider if they chose, and they have the ability to use the MEC2 PRO function.

2b. When would you deny or revoke MEC² PRO access to any of these providers?

Yes, for any provider who demonstrates substantial non-compliance for MN CCAP Provider policies.

3. When is a provider signature not needed on a billing form?

If the provider is unable to sign due to death, illness or another circumstance approved by the county. Providers participating in the MEC2 PRO System are exempt from the signature requirement.

4. Do you require the parent signature on the billing form? ☒ Yes ☐ No

4a. When is a parent signature not needed on a paper billing form?

When billing forms are submitted through MEC2 PRO a parent signature is not required. A parent signature is also not required if care has ended with the provider before the voucher has been submitted and the provider has made several attempts to contact the family to sign the voucher with no success.

D. Underpayments

If you have underpaid according to Child Care Assistance Program policies, do you make corrective payments?

☒ Yes ☐ No

If yes, under what conditions do you make corrective payments? You may apply criteria such as a dollar amount or how far back the situation occurred.

Corrective payments are made when there has been an agency error. Corrective payments may also be made when a provider submits a written or email request [always retained on file] due to a billing error. These corrective payments would usually occur within 60 days of the billing period payment.

E. Provider rates

Does your agency enter provider rates on MEC²? ☒ Yes ☐ No

F. Absent day policy

The Child Care Assistance Program limits the number of paid absent days for licensed child care providers and certified license-exempt centers. Payment may exceed absent day limit at the request of the provider and with the approval of the county or tribe, if at least one parent in the family:

Minnesota Statute,
section 119B.13,
subdivision 7

- Is under the age of 21; and
- Does not have a high school or general equivalency diploma; and
- Is a student in a school district or another similar program that provides or arranges for child care, parenting support, social services, career and employment supports, and academic support to achieve high school graduation.

Do you have any registered child care providers that meet these requirements? ☐ Yes ☒ No

IX. Program integrity

A. Agency case management reviews can be used to determine causes of errors and identify specific policies needing review.

1. Do you conduct case management reviews of CCAP? ☒ Yes ☐ No

If yes, describe the process, including:

- How cases are selected,
- Which staff complete the reviews,
- What forms are used (DHS-5312D is available. If a different form is used, please list form(s) in Section X.B. Agency developed documents and submit with plan),
- How errors are resolved, and
- How staff are informed of correct policy.

The Supervisor and Lead Eligibility Worker conduct 2 quarterly case reviews by random selection. The DHS forms 5312D and 5316 are used for these reviews. Errors are resolved by discussing the case review with the Eligibility Worker, correcting it and determining the reason for the error (ie: entry error, didn't know the policy, misunderstood the information, etc) so it doesn't happen again. Cases are also reviewed when there is a reason to be concerned that something is not correct within the case.

2. Do you conduct case management reviews of CCAP providers? ☐ Yes ☒ No

X. Other information

A. Additional agency optional policies

Do you have any other policies that apply to the Child Care Assistance Program which are not specifically required by state or federal rule or law? ([Minnesota Rules, part 3400.0140, subpart 1](#)) ([Minnesota Rules, part 3400.0150, subpart 2](#))

B. Agency developed documents

- All agency developed forms and notices used for the Child Care Assistance Program must reflect current policy and be approved by DHS.
- Counties and tribes must use documents developed by DHS for administration of child care assistance.
- Agency developed documents must not duplicate or replace DHS documents.
- Local agencies may create supplemental documents subject to DHS approval.
- Documents must be written using plain language standards and meet other communication guidelines.

- Review forms, notices and documents at least every two years to ensure they reflect current child care assistance policy and laws.

Document inventory for your agency

Use this table to list all agency developed forms, notices, and documents your agency uses to administer child care assistance. List all documents in the table. Submit any new and revised forms, notices or written documents that have not been previously approved.

Only new and/or revised forms, notices, or written documents that have not been previously approved must be submitted with this plan for DHS approval.

Note: Refer to the DHS memo announcing this plan for a list of DHS created documents required for the Child Care Assistance Program. Do not list or submit DHS created documents.

Name of agency developed document	Document reflects current CCAP policy	Status of current document
Child Care Assistance Program [CCAP] Provider Compliance Notification effective 01/01/2024.	<input checked="" type="checkbox"/> Agency assures compliance	<input type="checkbox"/> DHS previously approved - no changes <input checked="" type="checkbox"/> DHS previously approved - revised and needs DHS approval <input type="checkbox"/> New document - needs DHS approval

Add form

XI. County and tribal assurances

Check the designated boxes below to assure compliance.

A. The county or tribe is informing parents about the following as required under [Minnesota Rules, part 3400.0035, subpart 1 and subpart 2](#).

- The documentation necessary to confirm eligibility for CCAP
- Waiting list information
- Application procedures
- The family's responsibility to report changes that affect their eligibility.

☒ **County or tribe assures compliance**

In addition, the agency uses the following:

"[Parent Acknowledgement When Choosing a Legal Nonlicensed Provider](#)" (DHS-5367) assures compliance with the following:

- Families rights and responsibilities when choosing a provider

"[Do You Need Help Paying for Child Care?](#)" (DHS-3551) assures compliance with the following:

- Federal and state child and dependent care tax credits
- Minnesota working family credits
- Federal and earned income credits
- Other programs and services for families with young children and families
- Child Care Aware services
- Child Care Assistance Program eligibility requirements
- Family copayment fees based on family size and income
- Information about how to choose a provider
- Availability of special needs rates

- The family's responsibility for paying provider charges that exceed the maximum child care payment in addition to the family copayment fee

☒ **County or tribe assures compliance and uses DHS-5367 and DHS-3551**

B. The agency is distributing the following information to registered legal nonlicensed providers as required by:

[Minnesota Rules, part 3400.0120, subpart 2.](#)

Use of "[Health and Safety Resource List for Parents and Legal Nonlicensed Providers](#)" (DHS-5192A) assures compliance with the following:

- Child immunization requirements
- Child nutrition
- Child protection reporting responsibilities
- Health and safety information required by federal law
- Child development information
- Referral to Child Care Aware; and
- Resources and training options to meet federal and/or state-required health and safety topics

☒ **County or tribe assures compliance by use of DHS-5192A**

C. Child Care Assistance Program (CCAP) Tasks and Timeframes

The county or tribe must perform tasks and meet timeframes required to administer the Child Care Assistance Program. These tasks include, but are not limited to:

- Assessing CCAP eligibility
- Registering child care providers
- Processing payments

These tasks and timeframes are required under the Child Care and Development Fund (CCDF), 98.11(a)(3) Administration under Contracts and Agreements, Minnesota Statutes 119B, Minnesota Rules 3400, CCAP Policy Manual, and MEC² User Guide.

☒ **County or tribe assures compliance**

D. Child Care Assistance Program (CCAP) Funding

DHS releases a forecast twice each fiscal year (November and February) which includes the overall budget for the Child Care Assistance Program, including all child care subprograms and administrative dollars. The county or tribe is reimbursed administrative dollars as outlined in Minnesota Statutes 119B.15. In addition to receiving the Basic Sliding Fee allocation, the county or tribe contributes a fixed local match equal to that county's/tribe's calendar year 1996 contribution, as outlined in Minnesota Statutes 119B.11, Subd. 1.

The county or tribe is provided a calendar year Basic Sliding Fee allocation, published at least annually and based on the formula outlined in Minnesota Statutes 119B.03, Subd. 6. When there is not sufficient funding to serve all eligible non-MFIP families, the county or tribe manages the Basic Sliding Fee waiting list according to the priorities outlined in Minnesota Statutes 119B.03, Subd. 4.

☒ **County or tribe assures compliance**

E. Child Care Assistance Program (CCAP) Reporting

[Minnesota Rules part 3400.0140, subpart 14](#)

The county or tribe is required to submit timely reports to the Department of Human Services. The reports include, but are not limited to:

- Basic Sliding Fee waiting list
- Override monitoring
- Basic Sliding Fee adjustments

☒ **County or tribe assures compliance**

F. Limited English Proficiency Plan

[Minnesota Rules part 3400.0150, subpart 2](#)

The county or tribe has completed a Limited English Proficiency Plan, describing how it serves families with limited English Proficiency

☒ **County or tribe assures compliance**

G. Child Care Assistance Program (CCAP) Case Reviews

The county or tribe ensures access to all needed documents for cases selected for case reviewed performed by the Department of Human Services. The county or tribe ensure certification and submission of all required documents for the case review will be made by the Director or their delegate.

☒ **County or tribe assures compliance**

SUBMIT BY EMAIL